

SENATE BILL REPORT

SB 5939

As of February 20, 2009

Title: An act relating to personnel practices regarding exempt employment.

Brief Description: Concerning personnel practices regarding exempt employment.

Sponsors: Senators Hobbs, Schoesler, Benton, Fairley, McDermott, Keiser, Sheldon and Shin.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 2/23/09.

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Staff: Kathleen Buchli (786-7488)

Background: The Director of the Department of Personnel (Department) is appointed by the Governor, subject to confirmation by the Senate. The director oversees the Department's administration of civil service rules and technical activities, and has the authority to adopt rules regarding such things as probationary periods, transfers, promotional preference, and layoffs. Rules adopted by the director may be superseded by the provisions of a collective bargaining agreement, but will affect only those employees in that bargaining agreement.

The Washington Management Service (WMS) was established in 1993 as a separate personnel system for civil service managers within the executive branch of state government. Its purpose is to develop and maintain a professional managerial workforce, and to provide agencies increased flexibility for their management positions in the areas of hiring and setting compensation. The director is also authorized to adopt rules for this management system. Any employee whose position is exempted has the right to appeal, either individually or through his or her authorized representative, to the Washington Personnel Resources Board.

Summary of Bill: The director must require each state agency to report semiannually on the number of classified and nonclassified employees in the agency and the change compared to the previous report; the number of bonuses and performance-based incentives awarded to agency staff; and the cost of each bonus or incentive awarded. A compilation of the data for each agency must be provided semiannually to the Governor and posted on the Department's website. If a vacant position is being exempted, the exclusive bargaining unit representative may act in lieu of an employee for the purposes of an appeal.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The definition for manager is repealed. Also repealed is a prohibition preventing employees who are members of the WMS from being included in a collective bargaining unit established under the State Collective Bargaining Act, Chapter 41.80 RCW.

Appropriation: None.

Fiscal Note: Requested on February 16, 2009.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.